

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02518-CRC**

GOVERNMENT ACCOUNTABILITY PROJECT v. UNITED
STATES DEPARTMENT OF HOMELAND SECURITY
Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 11/21/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**GOVERNMENT ACCOUNTABILITY
PROJECT**

represented by **Matthew Topic**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Merrick Jason Wayne
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY**

represented by **Jeremy S. Simon**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2528
Fax: (202) 252-2599
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/21/2017	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400 receipt number 0090-5216810) filed by

		GOVERNMENT ACCOUNTABILITY PROJECT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Burday, Joshua) (Entered: 11/21/2017)
11/22/2017		Case Assigned to Judge Christopher R. Cooper. (zsb) (Entered: 11/22/2017)
11/22/2017	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 11/22/2017)
01/17/2018	<u>3</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 01/17/2018)
01/18/2018		MINUTE ORDER granting <u>3</u> Defendant's Motion for Extension of Time. Defendant's response to the complaint shall now be due by February 16, 2018. Signed by Judge Christopher R. Cooper on 1/18/2018. (lccrc2) (Entered: 01/18/2018)
01/18/2018		Set/Reset Deadlines: Answer due by 2/16/2018 (lsj) (Entered: 01/18/2018)
02/14/2018	<u>4</u>	ANSWER to <u>1</u> Complaint, by UNITED STATES DEPARTMENT OF HOMELAND SECURITY.(Simon, Jeremy) (Entered: 02/14/2018)
02/14/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. Since the requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure do not apply, it is hereby ORDERED that the parties shall confer and file a joint proposed schedule for briefing or disclosure by February 28, 2018. Signed by Judge Christopher R. Cooper on 2/14/2018. (lccrc2) (Entered: 02/14/2018)
02/14/2018		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 2/28/2018 (lsj) (Entered: 02/14/2018)
02/27/2018	<u>5</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 02/27/2018)
02/28/2018		MINUTE ORDER: In light of <u>5</u> the parties' Joint Status Report, the parties are directed to file a further joint status report by April 3, 2018 proposing a further schedule for production. Signed by Judge Christopher R. Cooper on 2/28/2018. (lccrc2) (Entered: 02/28/2018)
02/28/2018		Set/Reset Deadlines: Joint Status Report due by 4/3/2018 (lsj) (Entered: 02/28/2018)
04/03/2018	<u>6</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 04/03/2018)
04/06/2018		MINUTE ORDER: In light of <u>6</u> the parties' joint status report, the parties are directed to file a further joint status report by May 8, 2018 proposing a further schedule for production. Signed by Judge Christopher R. Cooper on 4/3/2018. (lccrc2) (Entered: 04/06/2018)
04/06/2018		Set/Reset Deadlines: Joint Status Report due by 5/8/2018 (lsj) (Entered: 04/06/2018)
05/08/2018	<u>7</u>	Joint STATUS REPORT <i>and Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 05/08/2018)
05/09/2018		MINUTE ORDER: In light of <u>7</u> the parties' joint status report, the summary judgment briefing schedule in this case shall be as follows: Defendant's motion for summary judgment shall be due by June 27, 2018; Plaintiff's combined opposition and cross-motion shall be due by July 27, 2018; Defendant's combined reply and opposition shall be due by August 17, 2018; and Plaintiff's reply shall be due by September 7, 2018. Signed by Judge Christopher R. Cooper on 5/9/2018. (lccrc2) (Entered: 05/09/2018)
05/09/2018		Set/Reset Deadlines: Summary Judgment motions due by 6/27/2018. Response to Motion for Summary Judgment due by 7/27/2018. Reply to Motion for Summary Judgment due by 8/17/2018. Replies due by 9/7/2018. (lsj) (Entered: 05/09/2018)

06/27/2018	<u>8</u>	MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Declaration of James V.M.L. Holzer)(Simon, Jeremy) (Entered: 06/27/2018)
07/27/2018	<u>9</u>	MOTION for Partial Summary Judgment by GOVERNMENT ACCOUNTABILITY PROJECT (Attachments: # <u>1</u> Memorandum in Support Memorandum, # <u>2</u> Statement of Facts Statement of Genuine Issues of Fact, # <u>3</u> Statement of Facts Statement of Material Facts, # <u>4</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 07/27/2018)
08/17/2018	<u>10</u>	Unopposed MOTION for Extension of Time to <i>File Combined Opposition and Reply</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 08/17/2018)
08/20/2018		MINUTE ORDER granting <u>10</u> Defendant's Motion for Extension of Time. It is hereby ORDERED that Defendant's opposition and reply brief is due on or before September 10, 2018 and Plaintiff's reply is due on or before October 1. Signed by Judge Christopher R. Cooper on 8/20/18. (lccrc2) (Entered: 08/20/2018)
08/21/2018		Set/Reset Deadlines: Defendant's Opposition and Reply Brief due by 9/10/2018. (lsj) (Entered: 08/21/2018)
09/10/2018	<u>11</u>	Memorandum in opposition to re <u>9</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Response to Plaintiff's Local Rule 7(h) Statement, # <u>2</u> Supplemental Declaration of James V.M.L. Holzer, # <u>3</u> Proposed Order)(Simon, Jeremy) (Entered: 09/10/2018)
09/10/2018	<u>12</u>	REPLY to opposition to motion re <u>8</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum (duplicate of Docket Entry No. 11)</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Response to Plaintiff's Local Rule 7(h) Statement, # <u>2</u> Supplemental Declaration of James V.M.L. Holzer, # <u>3</u> Proposed Order)(Simon, Jeremy) (Entered: 09/10/2018)
10/01/2018	<u>13</u>	REPLY to opposition to motion re <u>9</u> MOTION for Partial Summary Judgment filed by GOVERNMENT ACCOUNTABILITY PROJECT. (Topic, Matthew) (Entered: 10/01/2018)
10/12/2018	<u>14</u>	ORDER denying <u>8</u> Defendant's Motion for Summary Judgment and granting <u>9</u> Plaintiff's Motion for Partial Summary Judgment. Signed by Judge Christopher R. Cooper on 10/12/2018. (lccrc2) (Entered: 10/12/2018)
10/12/2018	<u>15</u>	MEMORANDUM OPINION re <u>14</u> Order denying Defendant's Motion for Summary Judgment and granting Plaintiff's Motion for Partial Summary Judgment. Signed by Judge Christopher R. Cooper on 10/12/2018. (lccrc2) (Entered: 10/12/2018)
10/12/2018		Set/Reset Deadlines: Meet & Confer Statement due by 10/26/2018. Responses due by 11/2/2018. (znbn) (Entered: 10/12/2018)
10/24/2018	<u>16</u>	Consent MOTION for Extension of Time to <i>Comply with Deadlines in Court's October 12, 2018 Order</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 10/24/2018)
10/25/2018		MINUTE ORDER granting Defendant's <u>16</u> Consent Motion for Extension of Time to Comply with Deadlines in Court's October 12, 2018 Order. The October 26, 2018 deadline for the parties to meet and confer regarding potential search terms is now extended to November 9, 2018; the November 2, 2018 deadline for the parties, should they be unable to agree on search terms, to propose their preferred terms to the Court is now extended to November 16, 2018. Signed by Judge Christopher R. Cooper on 10/25/2018. (lccrc2) (Entered: 10/25/2018)
10/25/2018		Set/Reset Deadlines: Meet & Confer Statement due by 11/9/2018. Deadline for the parties, should they be unable to agree on search terms, to propose their preferred terms to the Court is now extended to 11/16/2018. (znbn) (Entered: 10/25/2018)
11/16/2018	<u>17</u>	Joint STATUS REPORT <i>Regarding Search Terms</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 11/16/2018)

11/21/2018	<u>18</u>	ORDER regarding additional search terms. Signed by Judge Christopher R. Cooper on 11/21/2018. (lccrc2) (Entered: 11/21/2018)
08/06/2019	<u>19</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of GOVERNMENT ACCOUNTABILITY PROJECT (Wayne, Merrick) (Entered: 08/06/2019)
09/06/2019		MINUTE ORDER: The parties are hereby ORDERED to file a joint status report by Friday, September 13, 2019 with an update on the status of production. Signed by Judge Christopher R. Cooper on 9/6/19. (lccrc2) (Entered: 09/06/2019)
09/06/2019		Set/Reset Deadlines: Joint Status Report due by 9/13/2019 (lsj) (Entered: 09/06/2019)
09/13/2019	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 09/13/2019)
09/17/2019		MINUTE ORDER: In light of <u>20</u> Joint Status Report, the parties are hereby ORDERED to file a joint status report by October 1, 2019, which shall include an update on when the Department of Homeland Security expects to complete its review of the search results and, if responsive records are identified, a proposed production schedule. Signed by Judge Christopher R. Cooper on 9/17/19. (lccrc2) (Entered: 09/17/2019)
09/17/2019		Set/Reset Deadlines: Joint Status Report due by 10/1/2019 (lsj) (Entered: 09/17/2019)
10/01/2019	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 10/01/2019)
10/03/2019		MINUTE ORDER: In light of <u>21</u> Joint Status Report, the parties are hereby ORDERED to file a joint status report by October 29, 2019, which shall include the parties' proposals for further proceedings. Signed by Judge Christopher R. Cooper on 10/3/19. (lccrc2) (Entered: 10/03/2019)
10/04/2019		Set/Reset Deadlines: Joint Status Report due by 10/29/2019 (lsj) (Entered: 10/04/2019)
10/29/2019	<u>22</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 10/29/2019)
10/31/2019		MINUTE ORDER: The parties are directed to file a joint status report by December 2, 2019, which shall include their respective proposals for further proceedings. Signed by Judge Christopher R. Cooper on 10/31/19. (lccrc2) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines: Joint Status Report due by 12/2/2019 (lsj) (Entered: 10/31/2019)